

A CERTIFIED TRUE COPY

ATTEST

By Tarrell L. Littleton on Oct 29, 2009

FOR THE UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONUNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Oct 13, 2009

FILED
CLERK'S OFFICEUNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: ANDROGEL ANTITRUST LITIGATION (NO. II)

Walgreen Co., et al. v. Unimed Pharmaceuticals, LLC, et al.,
M.D. Pennsylvania, C.A. No. 1:09-1240)FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

MDL No. 2084

OCT 29 2009

CONDITIONAL TRANSFER ORDER (CTO-1)

JAMES N. HATTEN, CLERK

By: *[Signature]* Deputy Clerk

On October 5, 2009, the Panel transferred four civil actions to the United States District Court for the Northern District of Georgia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* ___ F.Supp.2d ___ (J.P.M.L. 2009). With the consent of that court, all such actions have been assigned to the Honorable Thomas W. Thrash, Jr.

It appears that the action on this conditional transfer order involves questions of fact that are common to the actions previously transferred to the Northern District of Georgia and assigned to Judge Thrash.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), this action is transferred under 28 U.S.C. § 1407 to the Northern District of Georgia for the reasons stated in the order of October 5, 2009, and, with the consent of that court, assigned to the Honorable Thomas W. Thrash, Jr.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Georgia. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

Oct 29, 2009

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:

*[Signature]*Jennery N. Lüthi
Clerk of the PanelATTEST: A TRUE COPY
CERTIFIED THIS

OCT 29 2009

James N. Hatten, Clerk

By: *[Signature]*
Deputy Clerk

UNITED STATES JUDICIAL PANEL

on

MULTIDISTRICT LITIGATION

CHAIRMAN:

John G. Heyburn II
United States District Court
Western District of Kentucky

MEMBERS:

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United States District Court
Northern District of Indiana

Kathryn H. Vratil
United States District Court
District of Kansas

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United States Court of Appeals
Eighth Circuit

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United States District Court
Northern District of Texas

Frank C. Damrell, Jr.
United States District Court
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David G. Trager
United States District Court
Eastern District of New York

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October 29, 2009

James N. Hatten, Clerk
2217 Richard B. Russell Fed. Bldg. & U.S. Courthouse
75 Spring Street, S.W.
Atlanta, GA 30303-3309

Re: MDL No. 2084 -- IN RE: AndroGel Antitrust Litigation (No. II)

(See Attached CTO-1)

Dear Mr. Hatten:

Attached as a PDF document is a certified copy of a conditional transfer order filed by the Panel in the above-captioned matter on October 13, 2009. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By Tarrell L. Littleton
Tarrell L. Littleton
Deputy Clerk

Attachments (Conditional Transfer Order is a Separate Document)

cc: Transferee Judge: Judge Thomas W. Thrash, Jr.

IN RE: ANDROGEL ANTITRUST LITIGATION (NO. II)

MDL No. 2084

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